MINUTES FOR THE COURT OF APPEAL STATE OF CALIFORNIA SECOND APPELLATE DISTRICT

May 26, 2006

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B184190	People v. Harker
B185065	People v. Williams
B182597	People v. McCune
B182357	People v. Carmouche
B186275	People v. Herrera

Argument waived, cause submitted.

B184928 People

v.

Hamilton

Merits:

Argued by James Koester for appellant and by Richard Breen, Deputy Attorney General for respondent. Cause submitted.

B184414 People

v.

Ervin

Merits:

Argued by Heather Manolakas for appellant and by Juliet Swoboda, Deputy Attorney General for respondent. Cause submitted.

DIVISION TWO (Continued)

B184637 RLI Insurance Company

v.

CNA Casualty of California

Merits:

Argued by Daniel Wills for appellant and by Laurie Hepler for respondent.

Cause submitted.

B185176 Fonseca

v.

California Insurance Guarantee Association

Merits:

Argued by Lessing Solov for appellant and by William Toppi for

respondent. Cause submitted.

Boren, P.J. left the bench.

B181783 Simpson

v.

Simpson

Merits:

Argued by Walter Burkley for appellant and by David Dimitruk for

respondent. Cause submitted.

Court adjourned.

B182775 E.E.

v.

K.J.

Filed order denying petition for rehearing.

DIVISION TWO (Continued)

B186825 Los Angeles County, D.C.S. (Not for Publication)

v.

Lisa H. Kenneth B.

We affirm the orders of the juvenile court.

Chavez, J.

We concur: Doi Todd, Acting P.J.

Ashmann-Gerst, J.

B175596 American Recycling International, Inc., et al.

v.

State Compensation Insurance Fund

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE

B182835 Sanchez (Certified for Publication)

V.

City of Los Angeles, et al.

The judgment denying Sanchez's petition for writ of mandate is reversed. Because the pay grade reduction is time-barred, the matter is remanded to the trial court with directions to order the Department to reinstate Sanchez to the position of Police Officer III. Sanchez shall recover costs on appeal.

Klein, P.J.

I concur: Croskey, J.

I concur in the judgment with the exception of footnote 11 of the opinion:

Kitching, J

DIVISION THREE (Continued)

B176715 Hindin/Owen/Engelke, Inc. (Not for Publication)

v.

Cardiotech International, L.L.C., etc., et al.

The judgment is affirmed. Cardiotech is entitled to costs on appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.

Kitching, J.

B186787 People (Not for Publication)

v.

Fouc Chuong Ly

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.

Croskey, J.

B165657 People (Not for Publication)

v.

Darren G. Rhinehardt

Rinehart's conviction for second degree murder is reversed and the sentence is vacated. In all other respects, the judgment is affirmed. The matter is remanded for retrial on the second degree murder charge, should the People so elect. If the People opt not to retry the second degree murder charge, the trial court shall resentence Rhinehardt on the remaining convictions.

Aldrich, J.

We concur: Klein, P.J.

Croskey, J.

DIVISION THREE (Continued)

B177230 People (Not for Publication)

v.

Alba Jeanette Brunty

The judgment is reversed.

Kitching, J.

We concur: Klein, P.J.

Croskey, J.

B170316 Schelling, et al. (Not for Publication)

V.

Pacific Hospital of Long Beach, et al.

The judgment is affirmed. Each party to bear their own costs.

Aldrich, J.

We concur: Klein, P.J.

Kitching, J.

B186429 Photiadis (Not for Publication)

v.

Busati

The judgment is reversed. Costs on appeal are awarded to plaintiff

Photiadis.

Kitching, J.

We concur: Klein, P.J.

Croskey, J.

DIVISION FIVE

B186240 Jerry Lee (Not for Publication)

v.

AT & T Wireless Services

The judgment is affirmed. Each party to bear their own costs.

Turner, P.J.

We concur: Mosk, J.

Kriegler, J.

DIVISION SEVEN

B189009 Rhonda W., (Certified for Publication)

v.

Superior Court, Los Angeles County

(D.C.F.S., r.p.i.)

Let a peremptory writ of mandate issue directing respondent juvenile court to vacate its order of January 30, 2006 denying Rhonda W.'s motion to appoint Christie P. as legal guardian under section 360 and to conduct further proceedings not inconsistent with this opinion.

Perluss, P.J.

We concur: Johnson, J.

Zelon, J.

DIVISION EIGHT

B184082 Los Angeles County, D.C.S. (Not for Publication)

v.

Cathy W.,

In re Amanda H., a Person Coming Under the Juvenile Court Law.

The juvenile court's orders of jurisdiction and disposition of June 14, 2005, are reversed and the matter is remanded for a new contested hearing.

Cooper, P.J.

We concur: Boland, J.

Flier, J.